

REMARKS

Claims 1-10, 26-43, 60-66, and 72-78 are pending and under current examination. In the Final Office Action¹ mailed June 10, 2009 (hereinafter, "Final Office Action"), the Examiner took the following actions:

(1) rejected claims 60-66 and 72-78 under 35 U.S.C. §112, second paragraph, as being indefinite; and

(2) rejected claims 1-10 and 26-43 under 35 U.S.C. §101 as being directed to non-statutory subject matter.

Applicants respectfully traverse the above rejections for reasons presented as follows.

Rejection of Claims 60-66 and 72-78 under 35 U.S.C. § 112, 2nd Paragraph:

The Final Office Action asserted that claims 60-66 and 72-78 recite a means (or step) plus function limitation that invokes 35 U.S.C. § 112, sixth paragraph. See Final Office Action, pp. 2-4. In addition, the Final Office Action alleged that "the written description fails to disclose the corresponding structure, material, or acts for the claimed function." *Id.* In response, and without conceding to the Final Office Action's allegations, Applicants have amended claims 60-66 and 72-76 to recite a system comprising a central processing unit and a memory unit. Therefore, claims 60 and 72, as well as their dependent claims 61-66 and 73-78, respectively, no longer recite a means plus function limitation and do not invoke 35 U.S.C. § 112, sixth paragraph.

¹ The Final Office Action contains statements characterizing the related art and the claims. Regardless of whether any such statements are specifically identified herein, Applicants decline to automatically subscribe to any statements in the Final Office Action.

Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. § 112, second paragraph, rejection.

Rejection of Claims 1-10 and 26-43 under 35 U.S.C. § 101:

The Final Office Action asserts that claims 1-10 and 26-43 are directed to non-statutory subject matter. See Final Office Action, pp. 2 and 5-6. In response to the rejection of claims 1-10 and 26-33, and without conceding to the Final Office Action's assertions regarding alleged non-statutory matter, Applicants have amended claims 1 and 26 to recite a method tied to a particular machine, namely, a computer, wherein various operations are performed using the computer. Applicants submit that these amendments overcome the 35 U.S.C. § 101 rejection of independent claim 1 and 26, as well as claims 2-10 and 27-33 dependent from claim 1 or 26. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 101 rejection of claims 1-10 and 26-33.

Applicants respectfully traverse the rejection of claims 34-43 under 35 U.S.C. § 101. Claim 34 recites a solid computer-readable medium, which is clearly a statutory "manufacture" under 35 U.S.C. § 101. See M.P.E.P. §§ 2106.01, 1412.02(III). Therefore, independent claim 34 is allowable. Dependent claims 35-43 are also allowable at least by virtue of their dependence from claim 34. Accordingly, Applicants respectfully request withdrawal of the 35 U.S.C. § 101 rejection of claims 34-43.

Conclusion:

Given that the Final Office Action does not raise any rejections on the basis of prior art, Applicants assume that there are no valid prior art grounds for rejecting the

claims (in accordance with M.P.E.P. § 707.07(g)), and that the claims are allowable over the prior art of record.

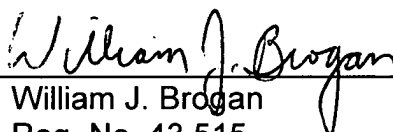
In view of the foregoing amendments and remarks, Applicants respectfully request entry of this Amendment, reconsideration of the application, and timely allowance of pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: September 10, 2009

By: 
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